

REMARKS

Claims 25-47 are pending in this application, with Claims 25, 33, 39, 41, 44, and 46 being independent claims. The claims are rejected as follows:

Claims 25-27, 30-31, 33-36, and 39-47 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0163733 to Barriga-Caceres et al. (hereinafter, "Barriga-Caceres") in view of US. Patent No. 6,219,539 to Basu et al. (hereinafter, "Basu").

Claims 28-29, 32, and 37-38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Barriga-Caceres and Basu in view of U.S. Patent No. 7,272,381 to Aura.

Regarding the §103(a) rejection of independent Claim 25, this claim is patentable over Barriga-Caceres and Basu. In the rejection of Claim 25, the Examiner concedes that Barriga-Caceres does not explicitly teach, "receiving a subscriber station basic capability negotiation response (SBC-RSP) message including information on an authentication mode that is selected by the base station among the at least one authentication mode," but asserts that Basu teaches this limitation. (Office Action, page 3, citing Basu at column 9, lines 35-46).

The above-quoted limitation of Claim 25 refers to a message received by a subscriber station indicating an authentication mode selected by a base station. However, Basu does not teach, disclose, or suggest this feature. Basu generally refers to a communication system including a dual mode mobile station selectively operable in CDMA and analog modes. (Basu, at Abstract).

The passage of Basu cited by the Examiner only refers to one transmission from a base station 103 to a mobile station 109. Regarding this transmission, Basu states, "a

control message transmitted from base station 103...so that a mobile station 109 operating in the analog mode can select the same control channel and transmits its control information back to base station 103.” In other words, the first transmission is merely used to enable the mobile station 103 to select a proper control channel. However, receiving information in order to select a control channel does not teach, disclose, or suggest receiving information on an authentication mode selected by the base station 103.

The cited passage of Basu later refers to the base station 103 selecting a CDMA/AMPS wireless function, but this selection occurs after the mobile station 109 has already been checked for registration and/or authentication information. Basu does not teach, disclose, or suggest that the mobile station 109 receives information indicating an authentication mode selected by the base station 103.

Further, according to column 5, lines 29-50 of Basu, the simple cordless function or CDMA/AMPS wireless function is the only operating mode of the mobile station. Therefore, the cordless/wireless function of Basu cannot correspond to an authentication mode selected by a base station from at least one authentication mode. Therefore, Basu does not cure the deficiencies of Barriga-Caceres.

For at least the reasons stated above, Barriga-Caceres and Basu do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claim 25. Therefore, Claim 25 is patentable over Barriga-Caceres and Basu. Accordingly, withdrawal of the §103(a) rejection of Claim 25 is respectfully requested.

Regarding the §103(a) rejection of independent Claims 33, 39, 41, 44, and 46, which all include limitations regarding transmitting, to a subscriber station, a message indicating an authentication mode selected by a base station, similar to the limitations described above regarding the rejection of independent Claim 25, Barriga-Caceres and

Basu do not teach, disclose, or suggest these features of independent Claims 33, 39, 41, 44, and 46 for at least the reasons stated above regarding independent Claim 1.

For at least the reasons stated above, Barriga-Caceres and Basu do not teach, disclose, or suggest, alone or in combination, all of the limitations of independent Claims 33, 39, 41, 44, and 46. Therefore, Claims 33, 39, 41, 44, and 46 are patentable over Barriga-Caceres and Basu. Accordingly, withdrawal of the §103(a) rejection of Claims 33, 39, 41, 44, and 46 is respectfully requested.

Claims 26-32, 34-38, 40, 42-43, 45, and 47 are dependent claims, and are believed to be in condition for allowance for at least the reasons given above with regard to their respective independent Claims 25, 33, 39, 41, 44, and 46.

Accordingly, all of the claims pending in the Application, namely, Claims 25-47 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

THE FARRELL LAW FIRM, PC
290 Broadhollow Road, Suite 210E
Melville, New York 11747
Tel: (516) 228-3565
Fax: (516) 228-8475